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O/ Rural Areas/1953

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File No. 84/53

Legal Department

G. BRANCH

Subject:—

Opinions Regarding the

Bombay Essential Articles (Rural Areas)

Distribution Order, 1949.

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Sr.No.	R.I./O.No.	Subject	Pages.
		Opinions under the Bombay Essential Articles (Rural Areas) Distribution order, 1949.	
1.)	O.No. G- 442/27/7/53,	Re: Amendment of condition 16 of the Authorisation issued to Rural Distribution centres under the order in respect of stocks to be maintained by the centres.	1-4.

PHS 13/8

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Revenue Department.
R.I.No.G-737, dt.

Please see item 9 of the proceedings at p. 8/c.

The District Supply and Distribution Advisory Sub-Committee, Ahmednagar, has unanimously recommended that at the places of godown Head Quarters, the Rural Distribution Centres (R.D.Cs) might be allowed to keep a Week's stock in view of the financial and storage difficulty expressed by them in keeping two week's stock. The Collector of Ahmednagar has supported the recommendation of the sub-committee and has requested the Civil Supplies Department to issue orders accordingly. The Director of Civil Supplies has pointed out that under condition 16 of the authorisation issued to these R.D.Cs. under clause 3(1) of the Bombay Essential Articles (Rural Areas) Distribution Order, 1949 the Rural Distribution Centres are required to maintain sufficient stocks to last at least for two weeks or for such period as may be prescribed by the District Magistrate. He has therefore requested R.L.A. to advise whether this condition permits the District Magistrate to fix the minimum stock at one Week's requirement.

Legal Department.

Condition 16 of the authorisation issued under clause 3(1) of the Bombay Essential Articles (Rural Areas) Distribution Order, 1949 runs as follows:-

"He shall maintain sufficient stocks to last at least for two weeks or such period as may be prescribed by the District Magistrate

If the words "at least" were not used, the District Magistrate could have prescribed any period lesser than two weeks. But the words "at least" emphasize that two weeks stocks should be the minimum that should be stored and although the word "longer" was not usedbetween the words "such" and "period" it will have to be interpreted that the District Magistrate had to prescribe a period longer than two weeks. In view of the ambiguous wording, the best course would be to amend the said condition in the authorization if shorter period than two weeks is to be prescribed.

Sd/-
o/c
Secretary to Government.

U.R.to C.S.D.,No. G- 443, dated the 27th July 1953.

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